

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

In re:

PAUL J. FOLKMAN AND
HSUEH MEI FOLKMAN,

Debtors.

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JEFFREY BLANCHARD and
JANINE BLANCHARD,

Plaintiffs,

v.

PAUL J. FOLKMAN and HSUEH MEI
FOLKMAN a/k/a MICHELLE FOLKMAN
a/k/a HSUEH MEI LEE, individually,
FOLKMAN DEVELOPMENT
CORPORATION, NRT NEW ENGLAND
LLC d/b/a COLDWELL BANKER
RESIDENTIAL BROKERAGE and
BROOKDALE CORPORATION,

Defendants.

Case No. 20-40864-btr-7

Chapter 7

Adversary Case No. 20-04083-btr

**SECOND STIPULATED TO MOTION TO AMEND SCHEDULING ORDER ARISING
FROM INITIAL MANAGEMENT CONFERENCE**
(All Parties)

NOW COME Jeffrey Blanchard and Janine Blanchard and NRT New England LLC d/b/a Coldwell Banker Residential Brokerage, respectively the Plaintiff and a Defendant in the above-captioned adversary proceeding (hereinafter the “PARTIES”) and hereby respectfully move this Honorable Court to allow this *Motion* and:

- GRANT a further extension of all discovery-related deadlines.

AS REASONS THEREFOR, the Parties state:

Additional time is required to: finalize expert disclosures; respond to outstanding discovery; provide Defendants, Paul J. Folkman, Hsueh Mei Folkman a/k/a Hsueh Mei Lee and Folkman Development Corporation (collectively “FOLKMAN”), opportunity to locate successor counsel, if desired;¹ and, accommodate the Parties’ desire to avoid the additional time, cost and uncertainty of further litigation *via* mediation.

More specifically, since the September 15, 2023, *Stipulated to Motion to Amend Scheduling Order Arising from Initial Management Conference*, the Parties conferred regarding a mediator and consensus was reached on Commonwealth Mediation and Conciliation, Inc, Massachusetts Attorney Brian J. Mone, Esq. (collectively “CMCI”). In consultation with CMCI, the Parties agreed to hold a first mediation session on the first available date, to wit: **Thursday, February 22, 2024** (the “FIRST MEDIATION”). To maximize the efficacy of the First Mediation, the Parties intend to prioritize preparation for the above-referenced date; and, as such, intend, assent and agree to toll all unexpired litigation deadlines pending the outcome of the First Mediation. Accordingly, intending to reserve all current litigation rights, the Parties respectfully request that this Honorable Court further amend Section 2 of the *Scheduling Order Arising from Initial Management Conference* as follows:

1. Strike from Section 2, subsection F. Disclosures of Expert Testimony, the portion which states, “on or before Friday, September 15, 2023,” and insert in its place: **on or before Thursday, February 29, 2024.**

¹ On November 21, 2023, counsel for Folkman served the *Motion to Allow Mr. Robert A. Miller to Withdraw As Co-Counsel For Defendant’s Paul J. Folkman, Hsueh Mei Folkman and Folkman Development Corporation* (the “MOTION TO WITHDRAW”) and represented that the *Motion to Withdraw* is to be filed contemporaneously with this *Motion*. In the event this Honorable Court allows the *Motion to Withdraw*, which undersigned counsel do not oppose, the additional time requested per this *Motion* will not prejudice Folkman, but rather, permit undersigned counsel opportunity to communicate and coordinate directly with all presumptive *pro se* litigants regarding further proceedings.

2. Strike from Section 2, subsection H. Discovery Deadline, the portion which states,
“on or before Tuesday, October 31, 2023,” and insert in its place: **on or before**

Friday, March 29, 2024.

WHEREFORE, the Parties respectfully request that this Honorable Court GRANT extensions to
discovery deadlines as specified above.

Respectfully submitted,
Plaintiffs,
Jeffrey and Janine Blanchard,
By their attorney,

/s/ Michael G. Franzoi
Michael G. Franzoi (BBO #685473)
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Dated: November 22, 2023

Respectfully submitted,
Defendant,
NRT New England, LLC d/b/a,
Coldwell Banker Residential Brokerage
By its attorneys,

/s/ Michael C. Farmer, Jr.
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CERTIFICATE OF SERVICE

This is to certify that, on November 22, 2023, a true and correct copy of the foregoing document was served by electronic mail via the Court's ECF system to all parties authorized to receive electronic notice in this case.

/s/ Michael G. Franzoi
Michael G. Franzoi